



STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	Administrative Action
	:	
	:	
MARIE FILEUS, R.N.	:	FINAL ORDER OF
LICENSE #26NO11838900	:	DISCIPLINE
	:	
	:	
TO PRACTICE NURSING IN THE	:	
STATE OF NEW JERSEY	:	
	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Marie Fileus ("Respondent") was licensed as a registered professional nurse in the State of New Jersey on June 16, 1998 and has been a licensee at all times relevant hereto. (Exhibit A, New Jersey License Verification System print-out)

2. The Board received a complaint indicating that Respondent was terminated from St. Barnabas Health Care System for failure to meet standards of care. (Exhibit B, Complaint)

3. On October 28, 2011, the Board sent Respondent a Demand for Written Statement Under Oath, via certified and regular mail. (Exhibit C, Demand)

4. By letter dated November 7, 2011, Respondent's physician responded to the Board's Demand, indicating that respondent is unable to respond to the Board based upon her medical condition. (Exhibit D, Physician's Letter)

CONCLUSIONS OF LAW

The Board finds that Respondent's physician's response to the Board's inquiry demonstrates that she is incapable, for medical or other good cause, of discharging the functions of a licensee in a manner consistent with the public's health, safety and welfare within the intendment of N.J.S.A. 45:1-21(i).

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline suspending respondent's license to practice nursing was entered on March 21, 2012 and a copy was forwarded to respondent's last known address of record by means of both regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's

request for consideration and reasons therefor.

The certified mailing was delivered on March 24, 2012, and the regular mailing was not returned. Although the record reflects that the Provisional Order was served upon respondent, no response has been received to date. Accordingly, the Board considered the matter, determined that further proceeding were not necessary and the Provisional Order should be made final.

ACCORDINGLY, IT IS on this 14th day of June, 2012

ORDERED that:

1. Respondent's license to practice nursing be and hereby is suspended pursuant to N.J.S.A. 45:1-21(i).

2. Respondent shall refrain from practicing nursing and shall not represent herself as a registered professional nurse until such time as her license is reinstated. Any practice in this state prior to reinstatement shall constitute grounds for a charge of unlicensed practice.

3. The Board will not entertain an application for reinstatement from respondent unless and until respondent demonstrates that she is medically fit and competent to practice. Prior to granting any application for reinstatement, the Board may require an appearance by respondent, and reserves the right to place limitations or conditions upon respondent's license in the event respondent returns to practice.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Murphy Ph.D. APN
Patricia Ann Murphy, Ph.D., APN, C
Board President